

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Alberto Montiel Jr.

PRINCIPAL

United States District Court
Southern District of Texas
FILED

Case Number:

A205 085 314

YOB:

1979

M-15-0003 -M

JAN 01 2015

(Name and Address of Defendant)

Clerk of Court

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about December 30, 2014 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Angel Romualdo Antunez, citizen and national of Honduras, Juana Edith Rodriguez-Estrada and Jesus Cruz-Ruiz, citizens and nationals of the United Mexican States and six (6) other undocumented aliens for a total of nine (9), who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Hidalgo, Texas to the point of arrest near Hidalgo, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On December 30, 2014, Agent R. Alaniz was conducting line watch duties near Hidalgo, Texas. At approximately 6:30 p.m., he observed a red Chevrolet S-10 pickup truck heading east on McColl Road. As the vehicle passed his location, he could clearly see persons laying down in the bed of the truck. Moments later, the pickup truck stopped and all the subjects jumped out of the truck and run into the brush just south of the levee and McColl Road. This information was relayed to other agents in the area via service radio. Agent Burton immediately notified that he had visual of the truck as it drove on McColl Road from the scene of the bail out. He followed the vehicle, never losing sight of it. Agents were able to conduct a vehicle stop approximately 3 miles north from where the aliens bailed out.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Signature of Complainant

Frediberto Hernandez Senior Patrol Agent

Printed Name of Complainant

Sworn to before me and subscribed in my presence,

January 1, 2015

Date

at McAllen, Texas

City and State

Dorina Ramos, U. S. Magistrate Judge

Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-15-0003 -M

RE: Alberto Montiel Jr.

A205 085 314

The driver of the vehicle, identified as Alberto MONTIEL Jr., claimed to be a United States Citizen and gave agents verbal consent to search his vehicle. Agents observed fresh mud sign in the bed of the truck indicating that it was the vehicle used to transport the subjects. MONTIEL also appeared to be nervous and agitated. The agent who initially spotted the vehicle also verified that it was the vehicle he observed transporting undocumented aliens. Agents placed MONTIEL under arrest and transported him to the Weslaco Border Patrol Station.

A search of the area where the subjects bailed out resulted in the apprehension of 9 undocumented aliens. All subjects were placed under arrest and transported to the Weslaco Border Patrol Station for questioning.

PRINCIPAL STATEMENT:

At the Weslaco Border Patrol Station, Alberto MONTIEL Jr was read his Miranda Rights. Subject stated he understood his rights and refused to provide a statement without an attorney present.

MATIERIAL WITNESS STATEMENTS:

At the Weslaco Border Patrol Station all three subjects were read their Miranda Rights. All three stated they under stood their rights and were willing to provide a statement without the presence of an attorney.

1-Angel Romualdo ANTUNEZ stated he is a citizen and national of Honduras. He claimed to have made arrangements with a smuggler in Honduras and paid \$4000 to be smuggled to Miami, Florida. On December 30, 2014, he was smuggled across the river by raft along with approximately 15 other subjects. Once in the United States, they walked for about an hour and a half before they were picked up by a small pickup truck. ANTUNEZ stated that he got into the cab of the truck with two other subjects while the rest of the group climbed into the bed of the truck. He stated he briefly saw the driver but was unable to identify him in a photo lineup. He stated that after boarding the truck they were quickly encountered by border patrol and the driver ordered them all to exit the vehicle and sped away. When shown a photo of the red Chevrolet S-10 pickup truck, ANTUNEZ stated that it looked just like the truck that picked him up.

2-Juana Edith Rodriguez-Estrada stated she is a citizen and national of Mexico. She claimed that her husband's family made arrangements to have both her and her husband smuggled into the United States. Both of them have paid \$1400 each. She stated that they were taken to the border and crossed the Rio Grande River with a group of 15. After crossing the river, a guide led them through the brush for a couple hours and instructed them to enter a small, dark in color, Chevy S10, extended cab, truck. She stated she was sitting inside the cab of the truck but could not identify the driver. She stated they drove for a very short distance before the driver told everyone to get out of the truck.

3-Jesus Cruz-Ruiz stated he is a citizen and national of Mexico. He claimed that his uncle made arrangements to have both him and his wife, Juana, smuggled into the United States. Both of them have paid \$1400 each. On December 30, 2014, their group was smuggled by raft into the United States. Once in the U.S., the foot guide led them through the brush for a couple hours and instructed them to enter a small, Chevy S10, extended cab, truck. He stated he was sitting inside the cab of the truck but could not identify the driver. He stated they drove for a very short distance before the driver told everyone to get out of the truck.